

The State of Illinois Department of Central Management Services (CMS) will be filing FCC Form 445 (CALEA Monitoring Report for Broadband Access and VOIP Services) by the February 12, 2007 Deadline. The report will identify that CMS is or will be CALEA compliant by the May 14, 2007 deadline solely for the ICN border routers that connect the ICN directly to the Internet based on the CMS interpretation of CALEA and the associated FCC Report and Order(s). At this time CMS also intends to file a System Security and Integrity Plan by the March 12, 2007 deadline.

The content of the CMS FCC Form 445 report will be based on the present determination that CMS is a non-exempt private network as defined by the FCC guidelines, based on the ICN having a limited number of direct connections to the Internet, pending further clarification from the FCC on specific compliance requirements for such an entity.

CMS determined that despite the existence of ambiguity surrounding how the ICN and related networks and services managed by CMS should be classified (an argument could be made that they are private networks as defined by the FCC guidelines) the existence of language in CALEA and the FCC Report and Orders specifically related to direct connectivity to the Internet through existence “gateway” or “border” routers, raises sufficient cause for CMS to file this FCC Form 445 report as a precautionary measure. CMS files this report notwithstanding a lack of clarity on specifically which entities absolutely should file this report and does so in order to be compliant should these network components be more specifically deemed non-exempt by the FCC at a later date.

CMS through its Bureau of Communications and Computer Services, in its role as operator of the ICN, makes this determination solely for the ICN and associated CMS networks and services. CMS continues to advise each constituent user of the Illinois Century Network to make its own independent determination of its status and filing requirements. Each entity should continue to seek legal advice from its own internal resources on its filing and compliance requirement as they relate to CALEA and recent FCC Report and Order(s).